



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------------|---------------------|------------------|
| 09/875,670 | 06/05/2001 | Nigel Andrew Justin Davies | 80398P394 | 7529 |

7590 10/22/2004

Archana B. Vittal
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Seventh Floor
12400 Wilshire Boulevard
Los Angeles, CA 90025-1026

EXAMINER

SIDDIQI, MOHAMMAD A

ART UNIT PAPER NUMBER

2154

DATE MAILED: 10/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/875,670

Applicant(s)

DAVIES ET AL.

Examiner

Mohammad A Siddiqi

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-10,19,25-29,33 and 35-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-10, 19, 25-29, 33, 35-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08/10/2004 has been entered.
2. Claims 1, 3-10, 19, 25-29, 33, and 35-46 are presented for examination. Claims 2, 11-18, 20-24, 30-32, and 34 have been cancelled.

Claim Rejections - 35 USC § 103

5

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
4. Claims 1, 3-10, 19, 25-29, 33, and 35-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cheng et al. (US 2001/0032273)

Art Unit: 2154

(hereinafter Cheng) in view of Yamadaji et al. (6,694,363) (hereinafter Yamadaji).

5. As per claim 1, Cheng discloses a controller (page 1, paragraph #0006) comprising at least one Home Audio Visual Initiative (HAVi) server (page 3, paragraph #0031) that communicates with at least one HAVi compliant device (page 2, paragraph #0024) using a HAVi application programming interface (API) (page 1, paragraph #0011) and further communicates with at least one proxy (page 2, paragraph #0027) on at least one Internet Protocol (IP) device (page 2, paragraph #0027) using an IP and HAVi API (page 2, paragraph #0027), the server communicating with the IP device via the Internet protocol (page 3, paragraph #0030), the IP and HAVi API providing API support to translate and relay calls between the proxy and the server so that each one of the at least one HAVi compliant device and the IP device controls the other one of the devices (130,170,fig 2, page 2, paragraph #0028). Cheng does not explicitly disclose functionality of the network equipments such as controller functions. However, HAVi controllers are well known in the art. For example, Yamadaji discloses controller functions (col 2, lines 63-66). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Cheng with Yamadaji because Yamadaji's use of controller

device functions would provide "Cheng's HAVi system which can reduce the memory capacity necessary for storing software to control and utilize functions of HAVi compliant devices.

6. As per claim 3, Cheng discloses an IP device control module (DCM), wherein the at least one HAVi compliant device controls the IP device by accessing a DCM associated with the IP device (page 5, paragraph #0055).

7. As per claim 4, Cheng discloses the HAVi compliant device is physically located on the controller (page 3, paragraph #00238).

8. As per claim 5, Cheng fails to disclose a HAVi stack that enables the IP device DCM to be instantiated independently of bus reset events. Yamadaji discloses a HAVi stack that enables the IP device DCM to be instantiated independently of bus reset events (col 6, lines 4-10). It would have been obvious to one of ordinary skill in the art at the time invention was made to combine the teachings of Cheng and Yamadaji. The motivation would have been to have a bus rest of the IEEE 1394 so the topology and ID numbers and like is set again.

9. As per claim 6, Cheng discloses the server communicates with IP devices across a first communication medium and HAVi compliant devices across a second communication medium (180, 330, fig 3, page 3, paragraph #0032).

10. As per claim 7, Cheng fails to disclose the first communication medium is selected from the group consisting of fiber, optical, cable, wire and wireless networks. Yamadaji discloses the first communication medium is selected from the group consisting of fiber, optical, cable, wire and wireless networks (col 8, lines 29-33). It would have been obvious to one of ordinary skill in the art at the time invention was made to combine the teachings of Cheng and Yamadaji. The motivation would have been to employ a system using industry standard networking equipments and platforms.

11. As per claim 8, Cheng does not explicitly disclose wherein the second communication medium is an IEEE 1394 network. Yamadaji discloses the second communication medium is an IEEE 1394 network (col 4, lines 17-18). It would have been obvious to one of ordinary skill in the art at the time invention was made to combine the teachings of Cheng and Yamadaji. The motivation would have been to use industry standard IEEE1394 protocol.

12. As per claim 9, Cheng discloses a stream bridge (page 1, #0009) configured to capture content from a first device of IP and HAVi compliant devices coupled to the controller and relay it to a second device of IP and HAVi compliant devices (page 1-2, paragraph #0011).

13. As per claim 10, Cheng discloses the controller is selected from the group consisting of a HAVi full audio/visual device and an intermediate audio/visual device (page 1, paragraph #0005).

14. As per claim 25, the claim is rejected for same reasons as claim 1, above.

15. As per claim 26, the claim is rejected for same reasons as claim 5, above.

16. As per claim 27, the claim is rejected for same reasons as claim 9, above.

28. As per claim 28, the claim is rejected for same reasons as claim 9, above.

17. As per claim 29, the claim is rejected for same reasons as claim 1, above.

18. As per claim 41, Cheng discloses instantiating (page 5, paragraph #0055) a device control module on the controller, the DCM corresponding to the Internet Protocol network device (page 2, paragraph #0024), wherein one of the home audio/video network devices controls the Internet Protocol network device by accessing the device control module (tunnel, page 2, paragraph #0024-0025).

19. As per claim 42, the claim is rejected for same reasons as claim 7, above.

20. As per claim 43, the claim is rejected for same reasons as claim 9, above.

21. As per claim 33, the claim is rejected for same reasons as claim 1, above.

22. As per claim 35, the claim is rejected for same reasons as claim 3, above.

23. As per claim 36, the claim is rejected for same reasons as claim 5, above.

24. As per claim 37, the claim is rejected for same reasons as claim 9, above.

25. As per claim 44, the claim is rejected for same reasons as claim 1, above.

26. As per claim 45, the claim is rejected for same reasons as claim 1, above.

27. As per claim 38, the claim is rejected for same reasons as claim 3, above.

28. As per claim 39, the claim is rejected for same reasons as claim 7, above.

29. As per claim 40, the claim is rejected for same reasons as claim 9, above.

30. As per claim 46, the claim is rejected for same reasons as claim 1, above.

31. As per claim 19, Cheng discloses content is streamed between the Internet Protocol network device and the home audio/video network controller (page 1, paragraph #0005).

Response to Arguments

32. Applicant's arguments with respect to claims 1, 3-10, 19, 25-29, 33, 35-46 are have been considered but are moot in view of the new ground(s) of rejection.

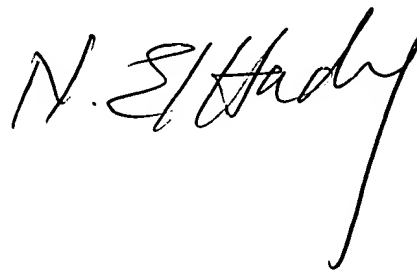
Conclusion

33. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad A Siddiqi whose telephone number is (703) 305-0353. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MAS

A handwritten signature in black ink, appearing to read "N. S. Hardy". The signature is written in a cursive style with a long, sweeping vertical stroke at the end.